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Lyft, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Case No.: 3:23-cv-00442-ART-CLB

THE STATE OF NEVADA, DEPARTMENT
OF EMPLOYMENT TRAINING AND
REHABILITATION, *ex. rel.* Chagolla

Plaintiff,
vs.

LYFT, INC.,
Defendants.

**ORDER GRANTING
DEFENDANT'S UNOPPOSED
MOTION TO EXTEND THE
DEADLINE TO FILE AN ANSWER
TO RELATOR'S FIRST
AMENDED COMPLAINT
(FOURTH REQUEST)**

Defendant Lyft, Inc. ("Defendant"), by and through its counsel of record, the law firm of Jackson Lewis P.C., and pursuant to Fed. R. Civ. P. 6(b) and Local Rules 7-2 and 7-3, files this Motion and respectfully requests that the grant Defendant a final, brief extension of time until **Friday, December 6, 2024** to file an answer to Relator Christina Michelle Chagolla's ("Relator") Amended Complaint [ECF No. 19]. This is Defendant's Fourth Request for an extension of time to file an answer to the Amended Complaint. Relator does not oppose the relief requested in this Motion. As good cause and in support thereof, Defendant states as follows:

MEMORANDUM OF POINTS AND AUTHORITIES

1. On February 8, 2023, Relator filed a one-count *qui tam* Complaint under seal in the Second Judicial District Court of the State of Nevada, County of Washoe under the Nevada False Claims Act's, Nev. Rev. Stat. §§ 357.010 *et seq.* ("NFCA"), "reverse false claims" provision, seeking recovery of damages, statutory penalties, interest, and litigation costs against Defendant for

1 its purported failure to pay unemployment insurance taxes to the State due to its classification of its
2 rideshare drivers in Nevada, including Relator, as independent contractors. *See generally* Compl.

3 2. On September 5, 2023, Lyft timely removed the action to this Court. *See* ECF No.
4 9.

5 3. On October 19, 2023, Lyft moved to dismiss Relator's Complaint and NFCA claim.
6 *See generally* ECF No. 14.

7 4. Relator amended her Complaint on November 16, 2023 pursuant to Fed. R. Civ. P.
8 15(a)(1)(B). *See generally* ECF No. 19

9 5. On December 14, 2023, Defendant moved to dismiss Relator's Amended
10 Complaint. *See generally* ECF No. 22. The parties fully briefed the motion. *See* ECF Nos. 28, 31.

11 6. On September 30, 2024, the Court denied Defendant's motion to dismiss. ECF No.
12 36.

13 7. Pursuant to Fed. R. Civ. P. 12(a)(4)(A), Defendant's answer to Relator's Amended
14 Complaint was initially due by October 15, 2024.

15 8. Following entry of the Court's order, the parties engaged in good faith, substantive
16 settlement discussions to evaluate (1) whether to pursue mediation of Relator's NFCA claim, and
17 (2) whether a settlement of Relator's NFCA could ultimately be reached.

18 9. To facilitate such discussions, the parties stipulated to multiple extensions of time
19 for Defendant to file an answer to Realtor's Amended Complaint. *See* ECF Nos. 37 (First Request),
20 39 (Second Request), 41 (Third Request).

21 10. The parties were engaged in such good faith discussions up until just prior to the
22 Thanksgiving holiday.

23 11. The parties' third stipulation extended Defendant's time to file an answer until
24 Tuesday, December 3, 2024. *See* ECF Nos. 41-42. In granting this extension, the Court stated that
25 "[n]o further extensions will be granted absent extraordinary circumstances." ECF No. 42.

26 12. Unfortunately, the parties were unable to reach a resolution at this time.

27 13. Counsel has prepared an answer to the allegations in Relator's Amended Complaint.
28

1 14. But, due to the Thanksgiving holiday and Defendant's pre-arranged travel during
2 this time, Defendant has been unable to adequately review the answer. As such, Defendant
3 respectfully requests a final, brief extension until Friday, December 6, 2024 to file its answer.

4 15. On December 2, 2024, undersigned contacted Relator's counsel regarding the
5 planned filing of this motion, articulating the above reasons. On December 3, 2024, Relator's
6 counsel indicated he would not join the motion, but would not oppose the requested relief.

7 16. Defendant does not intend to seek any further extensions of time to file its answer.

8 17. This request is not being made for purposes of delay but to permit Defendant
9 adequate time and opportunity to review and file its answer following the interposition of the
10 Thanksgiving holiday.

11 18. No prejudice will result from this brief extension of time.

12 19. For good cause being shown, Defendant respectfully requests that the Court grant
13 this Motion and extend the time for it to file an answer to the Amended Complaint until Friday,
14 December 6, 2024.

15 WHEREFORE, Defendant respectfully requests that this Honorable Court grant the Motion
16 and extend the time for Defendant to file its answer to the Amended Complaint until Friday,
17 December 6, 2024.

18 DATED this 3rd day of December, 2024.

19 JACKSON LEWIS P.C.

20 /s/ Joshua A. Sliker

21 KIRSTEN A. MILTON, ESQ.

22 Nevada Bar. No. 14401

23 JOSHUA A. SLIKER, ESQ.

24 Nevada Bar No. 12493

300 S. Fourth Street, Suite 900

Las Vegas, Nevada 89101

ORDER

25 No further extensions of time will be granted.

26 IT IS SO ORDERED.

27 Dated: December 3, 2024

28 
UNITED STATES MAGISTRATE JUDGE